

## **MINUTES**

### **MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON JUDICIARY**

**Call to Order:** By **CHAIRMAN JESSE LASLOVICH**, on March 30, 2007 at 8:00 A.M., in Room 303 Capitol.

#### **ROLL CALL**

##### **Members Present:**

Sen. Jesse Laslovich, Chairman (D)  
Sen. Aubyn Curtiss (R)  
Sen. Larry Jent (D)  
Sen. Dan McGee (R)  
Sen. Lynda Moss (D)  
Sen. Jerry O'Neil (R)  
Sen. Gerald Pease (D)  
Sen. Gary L. Perry (R)

##### **Members Excused:**

Sen. Carol C. Juneau (D)  
Sen. Jim Shockley (R)  
Sen. David E. Wanzenried (D)  
Sen. Carol Williams (D)

**Members Absent:** None.

**Staff Present:** Carol Andersen, Committee Secretary  
Valencia Lane, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: HB 781, 3/26/2007; HB 643,  
3/26/2007; HB 636, 3/26/2007  
Executive Action: None.

**HEARING ON HB 781**

**Opening Statement by Sponsor:**

00:01:14 REP. JONATHAN WINDY BOY (D), HD 32, opened the hearing on HB 781, Revise racial profiling law -- data gathering.

**EXHIBIT(jus68a01)**

**Proponents:**

00:03:22 Sen. Frank Smith

00:05:54 Sen. Carol Juneau

00:11:23 Charles Grant, Havre

00:14:51 Cynthia Schmokel

00:16:27 Rep. Margaret Campbell, Fort Peck Indian Reservation

00:17:53 Cathy Day, Montana American Civil Liberties Union

**EXHIBIT(jus68a02)**

00:20:58 Linda Gryczan

00:24:14 Barry Stang, Montana Motor Carriers Association

00:25:19 Rep. Norma Bixby, Northern Crow and Cheyenne Districts

**Opponents:**

00:29:17 Mark Guy, Laurel Police Department

00:32:19 Rusty Wickman, Chief of Police, Missoula

00:36:08 Mike Barthel, Chief of Police, Havre

00:42:57 Mike Weber, President of Montana County Attorneys Association

00:47:41 Sheriff Greg Szudera, Hill County

00:53:56 Mark Muir, Missoula Police Officer

01:01:28 Mark Blood, Missoula Police Officer and Racial Profile Instructor

01:02:37 Jim Kembel, Montana Association, Chiefs of Police and Montana Police Protective Association

01:03:28 Jerry Williams, Executive Director, Montana Police Protective Association

01:04:42 Stan Marquem, Havre Police Department

**Informational Testimony:**

01:07:10 Pam Bucy, Assistant Attorney General, Department of Justice

**EXHIBIT(jus68a03)**

**Questions from Committee Members and Responses:**

01:17:17 Sen. McGee to Rep. Windy Boy

01:21:15 Sen. Moss to Chief Barthel

01:24:27 Sen. Juneau to Officer Muir

01:29:18 Sen. O'Neil to Rep. Windy Boy

01:30:29 Sen. Pease to Rep. Windy Boy

**Closing by Sponsor:**

01:31:53 Rep. Windy Boy

01:36:02 Break

01:48:26 Resume

**HEARING ON HB 643**

**Opening Statement by Sponsor:**

01:48:41 **REP. JOHN SINRUD (R), HD 67**, opened the hearing on **HB 643**, Revise sexual predator laws.

**Proponents:**

01:50:10 Stacie Rumenap, Stop Child Predators

**EXHIBIT(jus68a04)**

01:58:04 Chip St. Clair, Michigan Chapter, Justice for Children

**EXHIBIT(jus68a05)**

02:09:58 Mark Lundsford, Jessica Lundford's father

02:28:41 Greg Trude, Executive Director, Right to Life of  
Montana

02:30:47 Tim Ravndal, Montana Multiple Use Association

02:33:50 Joel Murdy, Belgrade

**EXHIBIT(jus68a06)**

**Opponents:**

02:40:02 Scott Crichton, American Civil Liberties Union

02:44:52 Linda Gryczan, Montana Women's Organization, and  
Business Women

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

02:46:38 Sen. McGee to Rep. Sinrud

**EXHIBIT(jus68a07)**

02:48:50 Sen. Laslovich to Diana Koch, Chief Legal Counsel,  
Department of Corrections (DOC)

02:49:29 Sen. McGee to Diana Koch

02:51:57 Sen. Shockley to Diana Koch

**Closing by Sponsor:**

02:54:18 Rep. Sinrud

03:01:24 Break

03:11:12 Resume

**HEARING ON HB 636**

**Opening Statement by Sponsor:**

03:11:18 REP. NORMA BIXBY (D), HD 41, opened the hearing on HB 636, Prohibit quotas in evaluating law enforcement officers.

[EXHIBIT\(jus68a08\)](#)

[EXHIBIT\(jus68a09\)](#)

[EXHIBIT\(jus68a10\)](#)

[EXHIBIT\(jus68a11\)](#)

**Proponents:** None.

**Opponents:**

03:24:18 Pam Bucy, Assistant Attorney General, Department of Justice

[EXHIBIT\(jus68a12\)](#)

[EXHIBIT\(jus68a13\)](#)

03:30:50 Jim Kembel, Montana Police Protective Association, and Montana Association of Police Associations

03:33:08 Col. Paul Grimstad, Montana Highway Patrol

03:34:17 Mike Weber, Richland County Attorney

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

03:34:42 Sen. Shockley to Pam Bucy

03:36:46 Sen. McGee to Col. Grimstad

03:40:25 Sen. Laslovich to Col. Grimstad

03:41:32 Sen. Pease to Col. Grimstad

03:43:37 Sen. Pease to Pam Bucy

03:44:27 Sen. Shockley to Rep. Bixby  
03:47:13 Sen. Perry to Col. Grimstad  
03:48:55 Sen. O'Neil to Col. Grimstad  
03:50:29 Sen. Shockley to Col. Grimstad  
03:51:47 Sen. Moss to Pam Bucy  
03:52:29 Sen. McGee to Pam Bucy  
03:53:18 Sen. McGee to Col. Grimstad

**Closing by Sponsor:**

03:53:50 Rep. Bixby  
04:01:33 Sen. Laslovich  
04:02:53 Sen. O'Neil  
04:04:05 Sen. Laslovich

**ADJOURNMENT**

Adjournment: 12:10 P.M.

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SEN. JESSE LASLOVICH, Chairman

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CAROL ANDERSEN, Secretary

JL/ca

Additional Exhibits:

**EXHIBIT ([jus68aad.pdf](#))**